In the High Court of Punjab and Haryana at Chandigarh

F.A.O.No.1711 of 2006 (O&M)
Date of Decision: 21.11.2006

Tirath Singh and others **---Appellants**

Vs.

Anwar Khan and others **---Respondents**

Coram: Hon'ble Mr. Justice S.N.Aggarwal

***

Present: Mr.Amarjit Markan, Advocate,
for the applicant-appellant.

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S.N.Aggarwal, J.(Oral)

C.M.No 23371 CII of 2006

This is an application under section 151 CPC for remitting the appeal to the district Judge. Sangrur, as now the pecuniary jurisdiction of the District Judge has been enhanced to an unlimited extent.

F.A.O.No.1711 of 2006

The present appeal was filed by the appellant against the order dated 1.3.2006 passed by the Court of Civil Judge(Jr. Divn.), Dhuri on an application filed by Anwar Khan-respondent No. 1 under Order 39 Rules 1 and 2 read with Section 151 CPC. Vide impugned order the appellants were restrained from alienating/mortgaging or disposing of the suit property during the pendency of the civil suit. The appeal was filed by the defendants-appellants in this Court as the pecuniary value of the property

was more than Rs. 5 lacs.

Now, the pecuniary jurisdiction of the Court of District Judge/Additional District Judge has been enhanced to an unlimited extent by the Government of Punjab vide notification dated 26.8.2006 and, therefore, the appeal is triable by the Court of District Judge/Additional District Judge concerned.

Accordingly, this appeal is remitted to the learned District Judge, Sangrur, who may decide the appeal himself or entrust the same to some other court of competent jurisdiction. The parties are directed to appear before the learned District Judge, Sangrur, on 5.12.2006.

The file be sent to the transferee Court immediately.

(S.N.AGGARWAL)
JUDGE

November 21, 2006
paramjit